

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

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**WRIT PETITION NO : 4677 of 2005**

Between:

M/s. Kakatiya Graduates Educational Society, Narsampet, Warangal, Rep. by  
its Secretary & Correspondent K. Gopal Reddy, S/o. Veera Reddy, Aged 50  
Years, R/o. Chennaraopet, Warangal District.

**..... PETITIONER**

AND

The Assistant Provident Fund Commissioner & Authority Under Section 7-A of  
the Act, Sub-Regional Office, Bala Samudram, Hanamkonda, Warangal District.

**.....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the  
circumstances stated in the Affidavit filed herein the High Court will be pleased  
to issue a Writ, Order or direction more particularly one in the nature of Writ of  
Mandamus declaring the order dated 13-1-2005 made in No.  
AP/SRO/WGL/ENF/44545/7A-ORDER/2004-05 passed by the respondent  
herein in so far it relates to directing the petitioner to pay the assessed amount  
therein within 10 days and also the action of the respondent seeking to arrest  
the petitioner for recovery of amount assessed in the order stated supra as  
illegal, arbitrary and pass such other order or orders in the circumstances of  
the case.

**Counsel for the Petitioner: MR.A.PRABHAKAR RAO**

**Counsel for the Respondent: MR.R.N.REDDY**

**Smt.B.Kavitha Yadav**

**The Court at the stage of admission made the following ORDER:**

The petitioner was issued an order of final determination, under Section 7-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, dated 06.01.2005. A sum of Rs.65,493/- is said to be due and an interest of Rs.17,026/- is levied. The petitioner states that though there exists several grounds to assail the same, it does not chose to do so, on account of the fact that the appeal is to be prosecuted at Delhi. It seeks the facility of installments. The learned standing counsel for the respondent opposes the same and submits that the amount is due since 2001.

Having regard to the facts and circumstances of the case, the writ petition is disposed of, leaving it open to the petitioner to pay the amount due, in three equal installments, on or before 5<sup>th</sup> of every month, commencing from April 2005. In default, it shall be open to the respondent to enforce the order in accordance with the relevant provisions of law. There shall be no order as to costs.

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11-03-2005

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To

1. The Assistant Provident Fund Commissioner & Authority Under Section 7-A of the Act, Sub-Regional Office, Bala Samudram, Hanamkonda, Warangal District.

2. 2 CD copies.

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